

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 3:06-CR-147
	)	(VARLAN/GUYTON)
CHRISTOPHER KELSO,	)	
JEFFERSON L. BIVINGS, and	)	
BRENT DEVONN OOTEN,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This matter came before the Court on August 10, 2007, for an initial appearance and arraignment of the defendants on the Third Superseding Indictment filed on July 18, 2007. Tracee Plowell, Assistant United States Attorney, was present for the government. Donny Young was present as counsel for defendant Christopher Kelso. Ralph Harwell and Tracy Smith were present as counsel for the defendant Jefferson Bivings. Defendants Kelso and Bivings were also present.

Prior to the hearing, the Court was informed that defendant Ooten was still being detained in the Northern District of Georgia, but would be transported to the Eastern District of Tennessee in the near future. In light of Ooten's unavailability, the Court continued the initial appearance and arraignment on the Third Superseding Indictment until September 7, 2007. The Court will also establish a new trial date, reset any necessary pre-trial deadlines, and schedule a

hearing on all pending motions at that time. Should defendant Ooten arrive in the Eastern District of Tennessee in advance of the September 7, 2007, hearing, the parties are directed to contact chambers to schedule an earlier hearing.

**IT IS SO ORDERED.**

ENTER:

s/ H. Bruce Guyton  
United States Magistrate Judge